

North Dakota Board of Nursing Meeting Minutes – March 19, 2009

Call to Order: March 19, 2009 at 8:30 a.m. – Board of Nursing Conference Room, 919 S 7th Street, Ste 504, Bismarck, ND.

Roll Call: Eight board members present as follows:

Nelson (Buzz) Benson, RN, President	Julie Traynor, RN, Vice-President
Roxane Case, Public Member	Melisa Frank, LPN
Mary Tello-Pool, LPN	Daniel Rustvang, RN (absent from 1:00 – 2:15 to attend Prescription Drug Monitoring Committee)
JoAnn Sund, RN	Elizabeth Anderson, LPN

Absent: Charlene Christianson, RN, Treasurer

Staff Present:

Constance Kalanek, RN, Executive Director	Karla Bitz, RN, Associate Director
Patricia Hill, RN, Asst. Director for Practice & Discipline	Julie Schwan, Admin Services Coordinator
Linda Shanta, RN, Associate Director for Education	

Observers were present as indicated on the attached rosters.

MINUTES REFLECT ACTIVE AGENDA ITEMS THAT WERE REVIEWED AND DISCUSSED AT THE MEETING.

AGENDA ITEM	ACTION
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda. No items were identified for discussion.</p> <p><i>Motion:</i> Traynor, seconded by Case to: ADOPT THE CONSENT AGENDA AS PRESENTED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed. No changes were identified.</p> <p><i>Motion:</i> Anderson, seconded by Sund to: APPROVE THE AGENDA AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
1.3 Open Forum 9:00 a.m. (9:45 a.m.)	<p>Leigh Anne Heinz was present to address the board regarding an administrative settlement for practice without a registration; Ms. Heinz was on the UAP registry as a medical assistant, but said she was not aware she had been on the UAP registry before. She practiced without a current registration as a surgical technician, but indicated it was not intentional. Ms. Heinz stated her employer has agreed to pay one-half of the penalty fee. The open forum was closed at 10:00 a.m.</p>
2.1 January 22, 2009 Meeting Minutes	<p><i>Discussion:</i> The minutes of the January 22, 2009 meeting were reviewed. No changes were identified.</p> <p><i>Motion:</i> Sund, seconded by Traynor to: APPROVE THE MINUTES OF THE JANUARY 22, 2009 MEETING AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
2.2 March 11-16, 2009 Electronic Meeting Minutes	<p><i>Discussion:</i> The minutes of the March 11-16, 2009 electronic meeting conducted via e-mail were reviewed. The meeting was called for the selection of Program Monitoring Committee External Members. Renee Olson, LPN and Michael Kaspari, RN were chosen as the committee members.</p> <p><i>Motion:</i> Traynor, seconded by Case to: APPROVE THE MINUTES OF THE MARCH 11-16, 2009 ELECTRONIC MEETING AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
3.1 Financial Statements	<p>Financial Statements through February 29, 2009 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Actual Income is at 87% and actual expenses were at 70% of budgeted.</p>
3.2 Strategic Plan	<p>The current strategic plan is through June 30, 2010. The board will start the process to develop a new plan in July.</p>
3.3 CORE Report	<p>Staff reviewed a summary of the Commitment to Ongoing Regulatory Excellence (CORE) Report for 2007. CORE surveys nurses and educators and employers on the effectiveness of the board of nursing regulation in Administration, Practice, Discipline and Education. Employers were not surveyed this year at their request due to the number of surveys necessary with the nursing needs study. The ND Board of Nursing rates higher in all four areas than most state boards with the number of licensees less than 20,000 and is considered a high function board.</p> <p><i>Motion:</i> Tello-Pool, seconded by Anderson to: ACCEPT THE CORE REPORT.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>

**North Dakota Board of Nursing
Meeting Minutes – March 19, 2009**

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4.1 Administrative Settlements – Practice	<p><i>Discussion:</i> Ten individuals have signed and submitted an administrative settlement for practice without a license/registration since the last meeting. Each was reviewed and considered by the Board. A letter from Leigh Ann Heinz and Innovis Health regarding her practice without a registration were reviewed, as well as a letter from Kayla Montgomery and Roberta Northrup,</p> <p><i>Motion:</i> Anderson, seconded by Traynor to:</p> <p style="text-align: center;">ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING:</p> <table><tr><th>Name</th><th>Lic/Reg #</th><th>City, State</th><th>Sanction</th><th>Penalty Fee</th></tr><tr><td>Bull Head, Bethany</td><td>L12316</td><td>Bismarck, ND</td><td>Reprimand</td><td>\$400</td></tr><tr><td>Dean, Teresa</td><td>98022UAP</td><td>Dilworth, MN</td><td>Reprimand</td><td>\$300</td></tr><tr><td>Guffey, Sandra</td><td>Initial UAP</td><td>Minot, ND</td><td>Reprimand</td><td>\$200</td></tr><tr><td>Heinz, Leigh Anne</td><td>94638UAP</td><td>Harwood, ND</td><td>Reprimand</td><td>\$200</td></tr><tr><td>Juntunen, Brandi</td><td>101898UAP</td><td>Dilworth, MN</td><td>Reprimand</td><td>\$100</td></tr><tr><td>Lambrecht, Brian</td><td>Initial UAP</td><td>North Mankato, MN</td><td>Reprimand</td><td>\$200</td></tr><tr><td>Montgomery, Kayla</td><td>Initial UAP</td><td>Minot, ND</td><td>Reprimand</td><td>\$300</td></tr><tr><td>Northrop, Roberta</td><td>103784UAP</td><td>Dickinson, ND</td><td>Reprimand</td><td>\$400</td></tr><tr><td>Simington, Nicholas</td><td>Initial UAP</td><td>West Fargo, ND</td><td>Reprimand</td><td>\$100</td></tr><tr><td>Zerr, Chad</td><td>L12048</td><td>Crookston, MN</td><td>Reprimand</td><td>\$200</td></tr></table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, recuse; Rustvang, yes; Sund, yes; Tello-Pool, recuse; Traynor, yes; 6 yes, 0 no, 2 recuse, 1 absent. Motion carried.</p>	Name	Lic/Reg #	City, State	Sanction	Penalty Fee	Bull Head, Bethany	L12316	Bismarck, ND	Reprimand	\$400	Dean, Teresa	98022UAP	Dilworth, MN	Reprimand	\$300	Guffey, Sandra	Initial UAP	Minot, ND	Reprimand	\$200	Heinz, Leigh Anne	94638UAP	Harwood, ND	Reprimand	\$200	Juntunen, Brandi	101898UAP	Dilworth, MN	Reprimand	\$100	Lambrecht, Brian	Initial UAP	North Mankato, MN	Reprimand	\$200	Montgomery, Kayla	Initial UAP	Minot, ND	Reprimand	\$300	Northrop, Roberta	103784UAP	Dickinson, ND	Reprimand	\$400	Simington, Nicholas	Initial UAP	West Fargo, ND	Reprimand	\$100	Zerr, Chad	L12048	Crookston, MN	Reprimand	\$200
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4.41 Stipulation for Settlement – Tina Falcon , L9583	<p><i>Discussion:</i> A Stipulation for Settlement was received from Tina Falcon, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Sund, seconded Case:</p> <p style="text-align: center;">ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR TINA FALCON, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none">◆ ENCUMBER THE LICENSE FOR EIGHTEEN MONTHS;◆ ASSESS A \$600 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>																																																							
4.42 Stipulation for Settlement – Loucindia Koch, R30200	<p><i>Discussion:</i> A Stipulation for Settlement was received from Loucindia Koch, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (6).</p> <p><i>Motion:</i> Tello-Pool, seconded by Traynor to:</p> <p style="text-align: center;">ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR LOUCINDIA KOCH, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none">◆ ISSUE A REPRIMAND;◆ ASSESS A \$800.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, recuse; Sund, yes; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>																																																							
4.43 Stipulation for Settlement – Jennifer Donohue, L11898	<p><i>Discussion:</i> A Stipulation for Settlement was received from Jennifer Donohue, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1(9).</p> <p><i>Motion:</i> Sund, seconded by Case to:</p> <p style="text-align: center;">ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JENNIFER DONOHUE, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none">◆ INDEFINITELY SUSPEND THE LICENSE FOR A MINIMUM OF SIX MONTHS;◆ ASSESS A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, recuse; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>																																																							

**North Dakota Board of Nursing
Meeting Minutes – March 19, 2009**

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4.44 Stipulation for Settlement – Mystie Ortiz, L10102	<p><i>Discussion:</i> A Stipulation for Settlement was received from Mystie Ortiz, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (6)(7).</p> <p><i>Motion:</i> Traynor, seconded by Case to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR MYSTIE ORTIZ, LPN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$300.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, recuse; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.71 Request for Reinstatement – Ann Larson, L6321 (9:15 a.m.)	<p><i>Discussion:</i> Ann Larson was present for this agenda item and requested reinstatement of her LPN license. The board reviewed and discussed the Disciplinary Review Panel recommendation to encumber the license for three years with participation in the Workplace Impairment Program during the encumbrance.</p> <p><i>Motion:</i> Sund, seconded by Traynor to: ACCEPT THE REQUEST FOR REINSTATEMENT FROM ANN LARSON OF THE SUSPENDED LPN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS WITH PARTICIPATION IN THE WORKPLACE IMPAIRMENT PROGRAM DURING THE PERIOD OF ENCUMBRANCE AND TERMS AND CONDITIONS OF THE ENCUMBRANCE ESTABLISHED BY THE BOARD ORDER AND THE WORKPLACE IMPAIRMENT PROGRAM AGREEMENT.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.72 Request for Reinstatement – Carmen Doney, R31521 (9:20 a.m.)	<p><i>Discussion:</i> Carmen Doney was present for this agenda item and requested reinstatement of her RN license. The board reviewed and discussed the Disciplinary Review Panel recommendation to encumber the license for three years with participation in the Workplace Impairment Program during the encumbrance.</p> <p><i>Motion:</i> Traynor, seconded by Tello-Pool to: ACCEPT THE REQUEST FOR REINSTATEMENT FROM CARMEN DONEY OF THE SUSPENDED RN LICENSE TO ENCUMBERED STATUS FOR THREE YEARS WITH PARTICIPATION IN THE WORKPLACE IMPAIRMENT PROGRAM DURING THE PERIOD OF ENCUMBRANCE AND TERMS AND CONDITIONS OF THE ENCUMBRANCE ESTABLISHED BY THE BOARD ORDER AND THE WORKPLACE IMPAIRMENT PROGRAM AGREEMENT.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.91 Other - Jennifer Schulz, Initial Medication Assistant Application	<p><i>Discussion:</i> Jennifer Schulz submitted an application for Initial Medication Assistant and answered "no" to the criminal history question on the application. She had a felony charge with the criminal judgment dated 11/19/08, and was placed on supervised probation. She admitted failure to identify criminal charges on her application.</p> <p><i>Motion:</i> Traynor, seconded by Rustvang to: DENY THE INITIAL MEDICATION ASSISTANT APPLICATION SUBMITTED BY JENNIFER SCHULZ BASED ON NDCC 43-12.1-14 (1)(4).</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.92 Other - Cynthia Buchholz, L6459	<p><i>Discussion:</i> Cynthia Buchholz, LPN, submitted a 2009-2010 LPN Reactivation on 1/26/2009 with a positive response to the criminal history and Chemical Dependency question. She was convicted on 1/26/2009 of two felonies and is on probation beginning 1/26/2009.</p> <p><i>Motion:</i> Sund, seconded by Case to: APPROVE THE 2009-2010 LPN REACTIVATION APPLICATION FOR CYNTHIA BUCHHOLZ BASED ON NDCC 43-12.1-14 (1). Motion Withdrawn</p> <p><i>Motion:</i> Sund, seconded by Case to: DENY THE 2009-2010 LPN REACTIVATION APPLICATION FOR CYNTHIA BUCHHOLZ BASED ON NDCC 43-12.1-14 (1).</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.10 Miscellaneous Discipline Issues	<p>The board reviewed the following licensure status:</p> <ul style="list-style-type: none"> • Marjorie Rohach, L8731, Dickinson, ND – Suspended for two years for violating terms and conditions of WIP agreement. • Tonja Schlosser, R24371, Bismarck, ND – Suspended for two year for violating terms and conditions of WIP agreement..
4.11 Guidelines for Investigation at the ND Dept of Corrections and Rehab	<p>Staff has been meeting with the ND Dept of Corrections and Rehabilitation regarding requests for investigations from inmates. A report will be forthcoming to the May Board Meeting.</p>

North Dakota Board of Nursing Meeting Minutes – March 19, 2009

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5.21 NDSU Notification of change in Nursing Administration	Dr. Mary Wright has resigned her position as Associate Dean for Nursing and Allied Sciences at ND State University. Mary Margaret Mooney, DNSc, CS, FAAN has been appointed chief nurse administrator of the nursing program at ND State University.		
5.22 Request for approval of an additional surveyor for upcoming program review	<p><i>Discussion:</i> Staff requests an additional surveyor for the upcoming Turtle Mountain Nursing Program survey. Dr. Karen Latham, Dean of the MCO College of Nursing has agreed to join the survey team with Shanta and Kalanek. The board has a policy in place for external surveyors that address training and compensation, etc. and a contract will be signed. External contract surveyors have been used in the past. It was noted the "Consultant" category will be over budget, but other areas will be under budget so the overall budget will be minimally affected.</p> <p><i>Motion:</i> Case, seconded by Anderson to: APPROVE THE REQUEST FROM STAFF FOR AN ADDITIONAL SURVEYOR FOR THE UPCOMING TURTLE MOUNTAIN NURSING PROGRAM SITE VISIT.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>		
5.41 CE Audit Report	<p><i>Discussion:</i> The board reviewed a Draft 2008 Continuing Education Audit Report. There are two audits that are not yet finalized. The final report will be reviewed in May. It was suggested the CE Audit reporting be discussed as part of the strategic plan.</p>		
5.44 Ratification of Approval of Continuing Education for Contact Hours	<p><i>Discussion:</i> The board reviewed a list of courses approved by board staff for contact hours as of March 18, 2009.</p> <p><i>Motion:</i> Traynor, seconded by Sund to: RATIFY APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING, WHICH INCLUDES COURSES #751 THROUGH #779.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>		
5.51 Nurse Faculty Intern Pilot Study	<p><i>Discussion:</i> Nine applications for the Nurse Faculty Intern Pilot Study have been received since the last meeting and meet the requirements for participation.</p> <p><i>Motion:</i> Sund, seconded by Case to: RATIFY APPROVAL OF THE FOLLOWING NURSE FACULTY INTERNS:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Cheryl Wynn Kari Mathhys Jana Suder Jessica Bratrud Sara Hansen </td> <td style="width: 50%; vertical-align: top;"> Elisha Anderson Lee Ann Monilaws Lisa Steffen Lynn Douglas </td> </tr> </table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>	Cheryl Wynn Kari Mathhys Jana Suder Jessica Bratrud Sara Hansen	Elisha Anderson Lee Ann Monilaws Lisa Steffen Lynn Douglas
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5.51 (a) Grant proposal notification letters	The board did not receive grant funding from NCSBN for a proposed Phase II of the Nurse Faculty Intern Pilot Study. Staff reviewed the criteria and suggestions from NCSBN and indicated if they had known of the revisions to the criteria prior to submitting the grant, it would have been written differently, using qualitative rather than quantitative methods due to the small numbers in the study. The board had approved the project for four years, through June 30, 2010. The board voted to continue the final year of the project without funding or data collection.		
5.51 (b) Staffing for NFI	<p>Shanta has been working additional hours which have been funded by the NFI Grant. Due to non receipt of the grant, her time will be decreased for the 09-10 fiscal year. The board discussed staff recommendations for continuation of the NFI for FY 2009-2010 without grant funds and the additional time spent on the grant for salaried employees. It was suggested that the reimbursement for additional time commitment be explored with the auditor, and that the finance committee work those issues into the 09-10 budget.</p> <p><i>Motion:</i> Sund seconded by Anderson to: APPROVE THE FOLLOWING RECOMMENDATIONS FOR CONTINUATION OF THE NFI FOR 09-10:</p> <ol style="list-style-type: none"> 1. DR. SHANTA'S, PRINCIPAL INVESTIGATOR, GRANT HOURS ARE DECREASED TO 6% EFFORT -16 HOURS PER MONTH. 2. DR. KALANEK ALLOCATES 2.5 % EFFORT TO COMPLETION OF THE GRANT- 4 HOURS EACH MONTH. 3. NFI PARTICIPANTS WOULD CONTINUE TO MEET ADMISSION REQUIREMENTS CURRENTLY IN PLACE FOR PARTICIPATION IN THE STUDY. 4. NFI INTERNS WOULD NOT BE REQUIRED TO COMPLETE THE PRE OR POST SURVEY NOR WOULD THEY RECEIVE A STIPEND. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>		
5.52 Report of Out-of-State Students	The board has been notified of 337 out of state students being provided clinical experience in ND facilities to date for Spring 2009.		
5.521 NDNLN response to NDBON request – Task Force	The board had requested the ND Nurse Leadership Council consider developing guidelines for healthcare facilities when accepting students from out of state nursing programs for clinical experience in ND facilities. A task force will be convened to develop those guidelines. No further information was available.		

**North Dakota Board of Nursing
Meeting Minutes – March 19, 2009**

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5.53 Nursing Education Capacity Summit	Shanta reported on the Nursing Education Capacity Summit that she attended with Dr. Julie Anderson and Dr. Patricia Moulton. The group presented information on the Nurse Faculty Intern Pilot Study and discussed the project with other states. Shanta indicated that ND is considered a "lead" state, and although the recognition is good, the responsibility is huge. The board discussed the ND talking points document. It was noted a Nursing Center as proposed during this legislative session could coordinate all efforts for these types of projects.
6.1 Criminal History Record Checks	The board reviewed CHRC Statistics to date, showing 1364 fingerprint cards have been sent with 88% of those returned. Of those returned 92% have completed results. 15% needed to be returned for additional information and 13% needed fingerprints retaken. 5% of the second fingerprints were rejected, and 11% had records with rap sheets. This information will be submitted to NCSBN for the Licensure Portability Grant Program report at the end of March.
6.11 Criminal History Record Check Policy Revision	<p><i>Discussion:</i> The "Criminal History Record Checks" policy and procedure has been revised to address issues that have arisen regarding the length of time for temporary permits and the length of time before a new CHRC must be completed. Under the present policy, the UAP temporary permit expiration date is 120 days from date of hire. The medication assistant and RN/LPN Reactivation temporary permits are valid for 60 days. The RN/LPN license by endorsement permit and examination work authorization is valid for 90 days per administrative rule. Staff recommends all permits expire 90 days after date of issue to be consistent. Also under the present policy, there are different time frames for when a new CHRC is required when applying for a new license (UAP to LPN, LPN to RN) or an add on (UAP to Medication Assistant). Again, a consistent date of 90 days is recommended for the CHRC requirement when application for initial license/registration is submitted. In the present policy there is a statement requiring the applicant submit a statement of disclosure of a felony for a second set of unreadable prints, but that information is already disclosed with the initial CHRC application, so it is recommended that that statement is redundant.</p> <p><i>Motion:</i> Sund seconded by Case to:</p> <p>APPROVE THE REVISIONS TO THE "CRIMINAL HISTORY RECORD CHECK" POLICY THAT:</p> <ul style="list-style-type: none"> • ALL TEMPORARY PERMITS WILL BE ISSUED FOR 90 DAYS FOR INITIAL OR REACTIVATED LICENSURE OR REGISTRATION. • SUBMISSION OF AN APPLICATION FOR A NEW LICENSE/REGISTRATION DOES NOT REQUIRE A NEW CHRC IF THE PREVIOUS CHRC WAS COMPLETED WITHIN THE PAST NINETY DAYS. • CLARIFY SECTION RELATED TO UNREADABLE PRINTS. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
6.12 CHRC FAQs	<p><i>Discussion:</i> The Criminal History Record Check Frequently Asked Questions has been updated to reflect revisions in the CHRC policy.</p> <p><i>Motion:</i> Anderson, seconded by Traynor to:</p> <p>APPROVE THE REVISIONS TO THE CRIMINAL HISTORY RECORD CHECK FAQs TO REFLECT REVISIONS TO THE CHRC POLICY.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
6.2 Elimination of issuance license renewal wallet card	<p>A number of states have eliminated the license renewal wallet card with electronic renewal. The wallet card can be easily duplicated with today's technology. Accreditation and approval organizations require institutions verify licensure on the board of nursing website by accrediting agencies. Staff is currently working on IT enhancements for the verification screen that will meet the requirements of the federal government for licensure verification. The board discussed developing an implementation process and incorporating it into the next strategic plan.</p> <p><i>Motion:</i> Sund, seconded by Anderson to:</p> <p>DIRECT STAFF TO DEVELOP AN IMPLEMENTATION PLAN TO AUGMENT THE ELECTRONIC VERIFICATION PROCESS AND ELIMINATE THE PAPER RENEWAL WALLET CARD. (STRATEGIC PLAN)</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
6.3 Request for refund for endorsement Fee – Smith	<p>The board reviewed a letter from Rance Smith, RN, who applied for license by endorsement and is requesting a refund of the nonrefundable application fee of \$125.00. Mr. Smith stated he was residing in Oregon at the time of his application, and claimed OR as his primary state of residence at the direction of board staff. Mr. Smith indicated that he also had a Tennessee compact license at the time, but planned to move to ND. He stated that he contacted the board office again and was told that Tennessee should have been his primary state of residence. He is requesting the board refund the nonrefundable application fee of \$125.00, as he was unable to find satisfactory employment in ND. The board reviewed Mr. Smith's application, and noted that he applied using on Oregon address, and then submitted an address change to a ND residence. Mr. Smith's application has been processed, a temporary permit issued, and the only item lacking is the submission of the fingerprint cards for the CHRC.</p> <p><i>Motion:</i> Sund, seconded by Frank to:</p> <p>DENY RANCE SMITH'S REQUEST FOR REFUND OF THE \$125 ENDORSEMENT FEE AND CHRC FEE.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
6.4 Ratification of Practice Hours	<i>Discussion:</i> Tammy Anderson has submitted journals for review of volunteer practice hours for care of a family member to satisfy the practice hour requirement. The board reviewed the hours accepted for Tammy Anderson. .

**North Dakota Board of Nursing
Meeting Minutes – March 19, 2009**

AGENDA ITEM	ACTION																
6.4 (continued)	<p><i>Motion:</i> Traynor, seconded by Sund to: RATIFY APPROVAL OF 750 PRACTICE HOURS FOR 2007 AND 750 PRACTICE HOURS FOR 2008 FOR TAMMY ANDERSON FOR THE CARE OF HER FATHER ACCORDING TO NDAC 54-02-05-05 (d).</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, yes; Sund, yes; Tello-Pool, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>																
7.11 Approval of registrations: Technician	<p>The board reviewed an application for surgical technician without formal training. It was noted that in August it will be five years that the board has been grandfathering in those that have not had a formal training program. A deadline date for requiring a formal training program for surgical technicians was discussed as well as notification to all facilities regarding the requirement for a formal training program for surgical technicians.</p> <p><i>Motion:</i> Sund, seconded by Traynor that: EFFECTIVE AUGUST 1, 2009 THE BOARD OF NURSING WILL NO LONGER ACCEPT APPLICATIONS FOR SURGICAL TECHNICIANS WITHOUT A FORMAL TRAINING PROGRAM.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, absent; Sund, yes; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 2 absent. Motion carried.</p> <p><i>Discussion:</i> The board reviewed an application for surgical technician from Roberta Northrup with on the job training.</p> <p><i>Motion:</i> Case, seconded by Traynor: APPROVE THE UNLICENSED ASSISTIVE REGISTRY APPLICATION FOR SURGICAL TECHNICIAN FOR ROBERTA NORTHRUP.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, absent; Sund, yes; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 2 absent. Motion carried.</p>																
7.12 NCSBN Transition to Practice – Promoting Public Safety – Spector – March 19 @ 1:15 p.m.	<p>Dr. Nancy Spector from NCSBN spoke via conference call with the board regarding "Transition to Practice: Promoting Public Safety. Also present via conference call was Dr. Jan Kamphuis from MedCenter One. Dr. Spector discussed implementation and the awareness of costs of setting up a transition program for new employees. All other health related careers have a residency program, and nursing does not. NCSBN hopes to create a flexible model program so current programs could adopt the criteria. A pilot project to collect data was discussed.</p>																
7.31 Prescriptive Authority Applications	<p><i>Discussion:</i> Eight individuals have submitted applications for prescriptive authority since the last meeting.</p> <p><i>Motion:</i> Sund, seconded by Anderson to: RATIFY PRESCRIPTIVE AUTHORITY FOR THE FOLLOWING:</p> <table border="0"> <tr> <td>Molly Welch, NNP</td><td>CP: Stephen Nelson, MD</td></tr> <tr> <td>Carolyn Leach, WHNP</td><td>CP: Philip McRill, MD</td></tr> <tr> <td>Tamra Garberg, FNP</td><td>CP: Lara Lunde, MD</td></tr> <tr> <td>Mykell Barnacle, FNP</td><td>CP: Michael Lillestol, MD</td></tr> <tr> <td>Kendra Knodel, WHNP</td><td>CP: Thomas Hutchens, MD</td></tr> <tr> <td>Adair Deicke, CNS</td><td>CP: Philip McRill, MD</td></tr> <tr> <td>LaToria Williams, FNP</td><td>CP: Vernon Azure, MD</td></tr> <tr> <td>Rebecca Joyce, FNP</td><td>CP: Ronald Wiisanen, MD</td></tr> </table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, absent; Sund, yes; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 2 absent. Motion carried.</p>	Molly Welch, NNP	CP: Stephen Nelson, MD	Carolyn Leach, WHNP	CP: Philip McRill, MD	Tamra Garberg, FNP	CP: Lara Lunde, MD	Mykell Barnacle, FNP	CP: Michael Lillestol, MD	Kendra Knodel, WHNP	CP: Thomas Hutchens, MD	Adair Deicke, CNS	CP: Philip McRill, MD	LaToria Williams, FNP	CP: Vernon Azure, MD	Rebecca Joyce, FNP	CP: Ronald Wiisanen, MD
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Rebecca Joyce, FNP	CP: Ronald Wiisanen, MD																
7.4 Nurse Licensure Compact	<p>The board reviewed an updated FAQ regarding NCSBN Nurse Licensure Compact as of March 2009. States have been urged to watch the issue of someone holding two compact licenses. Another issue is a license being inactivated in one compact state before another compact license is issued. Board staff watches those issues closely. Nursys updates will be sent daily to comply with uniform requirements. NCSBN will be hiring an administrator for the Nurse Licensure Compact.</p>																
7.51 Administrative Rule Promulgation/Legislative Council Issues	<p>Calvin Rolfson was present for the legislative agenda items related to progress of bills that are being tracked for the board.</p>																
7.511 SB2094 Exemption of NPA – Medication Administration	<p>Passed House, Passed Senate – sent to governor</p>																
7.512 SB 2158 Medical Assistance APRN	<p>Passed Senate, Passed House, returned to Senate with amendments.</p>																
7.513 SB 2304 ND Center for Nursing	<p>Defeated</p>																
7.514 SB2266 ND Education Consortium	<p>Passed both House and Senate, referred to Appropriations Committee</p>																
7.515 HB1269 Discipline of a UAP	<p>Passed House, Senate Committee Hearing 3/17. The board reviewed proposed amendments.</p>																
7.516 SB2168 Coroner/Forensic Examination	<p>Passed Senate, Passed House, returned to Senate with amendments.</p>																

**North Dakota Board of Nursing
Meeting Minutes – March 19, 2009**

AGENDA ITEM	ACTION
7.517 HB 1215 Immunization by EMTs and Paramedics	Passed House, Passed Senate, returned to House with amendments.
7.518 HB1280 Study of application of standards	Passed House, Passed Senate, returned to House with amendments.
7.6 Website and Renewal	The board viewed the mock up of the newly designed NDBON website. The plan is to have the redesign up and available by April 15, 2009.
7.61 List of non-renewals for 2008	The board reviewed a list of RNs and LPNs that did not renew on December 31, 2008. A total of 787 licensees did not renew.
7.62 Renewal numbers for 2009-2010	For 2009-2010 renewal, there were 1696 LPN renewals and 4714 RN renewals for a total of 6410. 311 APRNs renewed and 173 of those have prescriptive authority.
7.63 Verification of license/registration enhancements	Board staff is in the process of upgrading the website and adding enhancements so it meets the requirements for primary source verification.
7.71 Appointment - NCSBN Uniform Core Licensure Requirement Committee	Bitz has been appointed to the NCSBN Uniform Core Licensure Requirements Committee. The board reviewed the Committee charge to explore regulatory methods of expediting licensure portability.
7.72 Staffing needs	Kalanek indicated a need for increased staffing due to the workload involved with the Criminal History Record Check. Kathy Zahn, Administrative Assistant III would increase her part time position to full time effective April 1, 2009. Kalanek explained the redistribution of the workload. Board members questioned whether the cost of the CHRC fee should be reconsidered. The finance committee will review during budget meeting. <i>Motion:</i> Sund, seconded by Traynor to: APPROVE THE POSITION OF ADMINISTRATIVE ASSISTANT III TO FULL TIME EFFECTIVE APRIL 1, 2009. <i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, absent; Sund, yes; Tello-Pool, yes; Traynor, yes; 7 yes, 0 no, 2 absent. Motion carried.
12.3 Strategic Planning – facilitator	Suggestions for a facilitator were reviewed. Staff will check on the availability of those suggested.
12.4 Speaker for September Retreat	Barb Taylor of NCSBN will be invited to speak regarding Board Governance Model pending budgetary constraints.

CONSENT AGENDA:

8.1 NCSBN
8.11 Correspondence regarding the proposed Journal of Nursing Regulation
8.12 2009 Leadership Succession Committee
8.2 Office Management
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 ICN Report
8.33 Update – The Nurse Practitioner
8.34 Communication from the ND Dept of Health
8.35 American College of Physicians Statement on NP
8.4 Workplace Impairment Program Report
8.41 Statistics
8.5 Unlicensed Assistive Person/Medication Assistant
8.51 Testing Summary Report
8.52 NNAAP Testing
8.6 Licensure
8.61 Licensed Nurse
8.62 Unlicensed Assistive Person
8.63 NCLEX-RN
8.64 NCLEX-PN
8.54 License Renewal Requirements
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel
8.9 Education
8.91 University of SD notification of new administrator
8.92 Presentation notification of 12 BSN students in clinical experiences in ND
8.93 MSU-Moorhead notification of 2 CNS students in clinical experience in ND
8.94 AACN – Funding for Nursing Education

North Dakota Board of Nursing Meeting Minutes – March 19, 2009

8.95 University of Wisconsin OshKosh notification of 1 BSN student in clinical experience in ND
8.10 HRSA – Wakefield Appointment

BOARD COMMITTEES:

9.0 Program Monitoring Committee	May 13, 2009 – 1:30 p.m. – Committee meeting scheduled as same time as Nursing Education. Traynor is on both Committees: Motion by Tello-Pool, seconded by Anderson to: APPOINT SUND TO THE PROGRAM MONITORING COMMITTEE FOR THE MAY 2009 MEETING <i>Roll call vote:</i> Anderson, yes; Benson, yes; Case, yes; Christianson, absent; Frank, yes; Rustvang, absent; Sund, yes; Tello-Pool, yes; 7 yes, 0 no, 2 absent. Motion carried.
9.1 Nursing Education Committee	March 13, 2009
9.2 Finance Committee	May 6, 2009
9.3 Executive Committee	February 6 @ 9:00 a.m.
9.4 Prescriptive Authority Committee	
9.5 Nursing Practice Committee	
9.6 Prescription Drug Monitoring Program Committee	March 19, 2009 – Rustvang attended and reported on highlights of the meeting. The usage of the prescription drug monitoring program has continued to increase. Rustvang indicated that during the last calendar year 256 patients have been identified as potential abusers. Educational programs continue for use of the system.

UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

10.1 National Council of State Boards of Nursing Annual Meeting, August 12-14
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.2-1 Policy Call – January 29 – March 27, 2009
10.2-2 Education Consultant Network – Feb 10, March 11, April 9, May 13, June 9, July 9
10.2-3 Discipline Networking Call – February 10, 2009
10.2-4 EO Seminar – June 23-24
10.2-5 NLCA Meeting – February 10, March 1, August 11
10.2-6 Mid-Year Meeting – March 3-4, 2009
10.2-7 NCSBN Executive Officers Leadership Seminar; June 23-24, 2009
10.2-8 Annual Institute of Regulatory Excellence – January 12-14, 2009
10.2-9 IRE Committee – April 21-22
10.2-10 Board Investigator & Attorney Workshop; May 19-21, 2009
10.2-11 NCLEX Invitational
10.2-12 Practice Consultant – March 20, May 19, June 19, July 22
10.2-13 NCLEX Examination Committee – March 6, 2009
10.2-14 Workshop on Regulation of Unlicensed Assisted Personal (UAP)
10.2-15 TERCAP User Conference Call – March 10, May 12, July 7
10.2-16 Uniform Core Licensure Requirements -
10.2-17 NCLEX Committee – March 10; April 15-17; July 21
10.3 ND Nurse Leadership Council – January 30
10.4 ND Organization of Nurse Executives –
10.5 ND Nurses Association
10.6 ND Rural & Public Health Conference –Mandan, April 1-3, 2009
10.7 ND LTCA Conference – May 6-7, Bismarck
10.8 ND Health Care Association Annual Meeting
10.9 ND Domestic and Sexual Violence State Prevention Team – January 26
10.10 Nurse Education Consortium (2379) – Feb 2, Feb 23
10.11 PHEVR/MRC Advisory Committee – January 20, February 17
10.12 RWJF Nursing Education Capacity Summit – February 4 & 5, 2009
10.13 AACN Master's Conference – February 19-21
10.14 NDNA Nurses Day at the Legislature – February 9

The meeting recessed for lunch at 11:45 a.m. on March 19, 2009 and reconvened at 1:00 p.m.

The meeting adjourned at 3:35 p.m. on March 19, 2009.